

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NETHERBY LIMITED,

Plaintiff,

- against -

JONES APPAREL GROUP, INC. and JONES  
INVESTMENT CO. INC.,

Defendants.

04 CV 07028(GEL)

NOTICE OF  
MOTION IN LIMINE

PLEASE TAKE NOTICE that upon the annexed affidavit of Karen S. Frieman, sworn to June 2, 2006, together with the exhibits annexed therto, the accompanying memorandum of law and all prior proceedings had herein, defendants Jones Apparel Group, Inc. and Jones Investment Co. Inc. will move this Court, before the Honorable Gerard E. Lynch, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, NY 1007, on such date and time as the Court determines and directs, for an order excluding at the trial of this action the expert testimony proffered by plaintiff and for such other and further relief as to this Court seems just and proper.

Dated: New York, New York  
June 2, 2006

DUANE MORRIS LLP

By:

Karen S. Frieman (KF 9204)

380 Lexington Avenue  
New York, New York 10168  
(212) 692-1000  
Attorneys for Defendants

To: Chadbourne & Parke  
30 Rockefeller Plaza  
New York, NY 10112

DM1\644575.1